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CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence, totaling 12 pages including recited attachments, is being facsimile transmitted to the United States Patent and Trademark Office at facsimile no.: 571-273-8300 (Central number) on the below date:

Date: February 17, 2006

Name: Terry Wand

Signature:

*Terry Wand*BRINKS
HOFER
GILSON
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Olav Borgmeier

Appln. No.: 10/775,414

Filed: February 10, 2004

For: MAGNETICALLY CONTROLLED
PNEUMATIC SPRING

Examiner: D. Kramer

Art Unit: 3633

Attorney Docket No: 11138-010

Mail Stop AF
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Reply Under 37 CFR 1.116
☐ Return Receipt Postcard

Fee calculation:

- ☐ No additional fee is required.
☐ Small Entity.
☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(____).
☐ An additional filing fee has been calculated as shown below.

		Small Entity		Not a Small Entity	
	Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee
Total	Minus			x \$25=	< \$50=
Indep.	Minus			x 100=	x \$200=
First Presentation of Multiple Dep. Claim				+\$180=	+ \$360=
Total		\$		Total \$	

Fee payment:

- ☐ A check in the amount of \$_____ is enclosed.
☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.
☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

February 17, 2006

Date

Robert K. Fergan
Robert K. Fergan (Reg. No. 51,674)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Olav Borgmeier

Appln. No.: 10/775,414

Filed: 2/10/04

For: Magnetically Controlled
Pneumatic Spring

Attorney Docket No: 11138-010

Examiner: D. Kramer

Art Unit: 3683

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY UNDER 37 C.F.R. 1.116

In response to the Office Action mailed November 25, 2005. Applicant respectfully submits this paper comprising the following parts:

- | | | |
|-----|--------------------------|--------|
| I. | Amendments to the Claims | Page 2 |
| II. | Remarks | Page 7 |

Applicant notes that the Transmittal to which this paper is attached includes a Certificate of Facsimile under 37 C.F.R. §1.8; and a fee statement calculating any fee(s) presently due in connection with the filing of this paper, along with an authorization to charge any fee deficiency to Deposit Account No. 23-1925.